

IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION

FILED  
U.S. DISTRICT COURT  
SAVANNAH DIV.

2016 JUN 22 AM 10:56

JOHN RANDALL FUTCH,

Petitioner,

v.

UNITED STATES OF AMERICA,

Defendant.

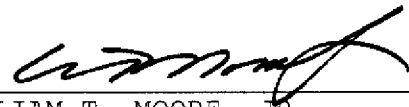
CLERK  
SO. DIST. OF GA.

CASE NOS. CV414-076  
CR402-285

O R D E R

Before the Court is Petitioner's Motion for Certificate of Appealability ("COA") (Doc. 26) and Motion for Leave to Appeal In Forma Pauperis (Doc. 29). Pursuant to 28 U.S.C. § 2253(c), an appeal may not be taken in this matter unless the court first issues a COA. This certificate may issue only if Petitioner has made a substantial showing of the denial of a constitutional right. Slack v. McDaniel, 529 U.S. 473, 484 (2000). The Court has carefully considered Petitioner's case and finds that he cannot meet the above standard. As a result, any request by Petitioner for leave to appeal in forma pauperis would be moot. Accordingly, Petitioner's Motion for Certificate of Appealability (Doc. 26) is **DENIED** and Motion for Leave to Appeal In Forma Pauperis (Doc. 29) is **DISMISSED AS MOOT**.

SO ORDERED this 22<sup>nd</sup> day of June 2016.

  
WILLIAM T. MOORE, JR.  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA